

**Hearing Date: October 16, 2012**  
**Hearing Time: 10:00 a.m. (prevailing Eastern time)**

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Reorganized Debtors

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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
In re : Chapter 11  
:  
DPH HOLDINGS CORP., et al., : Case No. 05-44481 (RDD)  
:  
Reorganized Debtors. : (Jointly Administered)  
:  
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**PROPOSED SEVENTY-NINTH OMNIBUS HEARING AGENDA**

Location Of Hearing: United States Bankruptcy Court for the Southern District of New York,  
300 Quarropas Street, Room 118, White Plains, New York 10601-4140

The matters set for hearing are divided into the following categories for the purposes of this Proposed Seventy-Ninth Omnibus Hearing Agenda:

- A. Introduction
- B. Continued Or Adjourned Matters (None)
- C. Uncontested, Agreed, Withdrawn, Or Settled Matters (None)
- D. Contested Matters (See Adversary Proceedings)
- E. Adversary Proceedings – Status Conference (3 Matters)

**A. Introduction**

*None.*

**B. Continued Or Adjourned Matters\***

*None.*

**C. Uncontested, Agreed, Withdrawn, Or Settled Matters**

None.

**D. Contested Matters**

*None.*

**E. Adversary Proceedings**

1. **"Michigan Defendants' Amended Motion To Dismiss"** – Defendants Michigan Workers' Compensation Agency's And Michigan Funds Administration's Joint Amended Motion To Dismiss Plaintiffs' Adversary Complaint And DPH Holdings Crossclaim For Failure To State A Claim, Lack Of Jurisdiction, And In The Alternative, For Abstention (Ad. Pro. Case No. 09-01510 Docket No. 43)

Responses filed: *Plaintiffs' Brief In Response To The (I) Joint Reply And (II) Amended Motion To Dismiss Of State Of Michigan Workers' Compensation Agency And State Of Michigan Funds Administration (Ad. Pro. Case No. 09-01510 Docket No. 54)*

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\* The motion found at the following docket number that appeared on a previous Proposed Omnibus Hearing Agenda has been voluntarily withdrawn from the agenda and would need to be re-noticed under the Supplemental Order Under 11 U.S.C. §§ 102(1) And 105 And Fed. R. Bankr. P. 2002(m), 9006, 9007, And 9014 Establishing Omnibus Hearing Dates And Certain Notice, Case Management, And Administrative Procedures, entered March 17, 2006 (Docket No. 2883), to be reinstated on a future Proposed Omnibus Hearing Agenda: Methode Electronics, Inc.'s Setoff Motion [Docket No. 4912].

*Declaration Of Lewis R. Olshin In Support Of Plaintiffs' Response (Ad. Pro. Case No. 09-01510 Docket No. 55)*

*Supplemental Memorandum Of DPH Holdings Corp. (Formerly Delphi Corporation) In Opposition To Defendants Michigan Workers' Compensation Agency's And Michigan Funds Administration's Joint Amended Motion To Dismiss Plaintiffs' Adversary Complaint And DPH Holdings Crossclaim For Failure To State A Claim, Lack Of Jurisdiction, And In The Alternative, For Abstention (Ad. Pro. Case No. 09-01510 Docket No. 57)*

*Replies filed:* *Michigan Defendants' Notice Of Withdrawal (Ad. Pro. Case No. 09-01510 Docket No. 166)*

*Related filings:* *Complaint (Ad. Pro. Case No. 09-01510 Docket No. 1)*

*(I) Answer To Complaint And (II) Counterclaims And Crossclaim By DPH Holdings Corp. (Formerly Known As Delphi Corporation) filed on behalf of State of Michigan Funds Administration, State of Michigan Workers Compensation Insurance Agency (Ad. Pro. Case No. 09-01510 Docket No. 26)*

*Answer to Counterclaim filed on behalf of ACE American Insurance Company, Pacific Employers Insurance Company (Ad. Pro. Case No. 09-01510 Docket No. 36)*

*Defendants Michigan Workers' Compensation Agency's And Michigan Funds Administration's Brief In Support Of Joint Amended Motion To Dismiss Plaintiffs' Adversary Complaint And DPH Holdings Crossclaim For Failure To State A Claim, Lack Of Jurisdiction, And In The Alternative, For Abstention (Ad. Pro. Case No. 09-01510 Docket No. 44)*

*Order (I) Denying Defendants Michigan Workers' Compensation Agency's And Michigan Funds Administration's Joint Motion To Dismiss For Lack Of Jurisdiction And In The Alternative, For Abstention And (II) Denying In Part Defendants Michigan Workers' Compensation Agency's And Michigan Funds Administration's Joint Amended Motion To Dismiss Plaintiffs' Adversary Complaint And DPH Holdings Crossclaim For Failure To State A Claim, Lack Of Jurisdiction, And In The Alternative, For Abstention (Ad. Pro. Case No. 09-01510 Docket No. 69)*

*Order Granting In Part And Denying In Part Plaintiffs' Emergency Motion Pursuant To 11 U.S.C. § 105(a) And Federal Rules Of Bankruptcy Procedure 7065 For An Injunctive Order (Ad. Pro. Case No. 09-01510 Docket No. 142)*

*(I) Answer to Complaint, (II) Counterclaim against all plaintiffs filed on behalf of State of Michigan Funds Administration, State of Michigan Workers' Compensation Insurance Agency (Ad. Pro. Case No. 09-01510 Docket No. 144)*

*Response/Statement of Michigan Workers' Compensation Agency and Michigan Funds Administration with Respect to "Cross-Claim" of DPH Holdings (Ad. Pro. Case No. 09-01510 Docket No. 145)*

*Letter dated August 30, 2012 filed on behalf of State of Michigan Funds Administration, State of Michigan Workers' Compensation Insurance Agency (Ad. Pro Case No. 09-01510 Docket No. 146)*

*Answer And Affirmative Defenses Of Ace American Insurance Company And Pacific Employers Insurance Company To Counterclaim By Michigan Workers' Compensation Insurance Agency And Michigan Funds Administration (Ad. Pro Case No. 09-01510 Docket No. 159)*

*Status:* *This matter has been resolved pursuant to the Michigan Defendants' Notice Of Withdrawal (Ad. Pro. Case No. 09-01510 Docket No. 166)*

2. **"Plaintiffs' Motion for Summary Judgment"**- Plaintiffs' ACE American Insurance Company and Pacific Employers Insurance Company's Motion for Summary Judgment (Ad. Pro. Case No. 09-01510 Docket No. 38)

*Responses Filed:* *Affidavit of Kevin A. Elsenheimer In Support of Defendants Michigan Funds Administration and State of Michigan Workers' Compensation Insurance Agency's Motion for Summary Judgment and in Opposition to Plaintiffs' Motion for Summary Judgment (Ad. Pro. Case No. 09-01510 Docket No. 149)*

*Declaration of Richard G. Haddad, Esq. In Support of Defendants State of Michigan Workers' Compensation Agency's and State of Michigan Funds Administration's Motion For Summary Judgment and in Opposition to*

*Plaintiffs' Motion for Summary Judgment (Ad. Pro. Case No. 09-01510 Docket No. 150)*

*Memorandum of Law of Michigan Workers' Compensation Agency and Michigan Funds Administration in Support of Their Motion For Summary Judgment and in Opposition to Plaintiffs' Motion for Summary Judgment (Ad. Pro. Case No. 09-01510 Docket No. 151)*

*Defendants State of Michigan Workers' Compensation Agency's and State of Michigan Funds Administration's Responses to Plaintiffs' Rule 7056-1 Statement and Statement of Disputed Facts That Precludes Summary Judgment in Favor of Plaintiffs (Ad. Pro. Case No. 09-01510 Docket No. 152)*

*Replies Filed:*

*Plaintiffs' (I) Reply In Further Support Of Motion For Summary Judgment And (II) Opposition To The Michigan Defendants' Cross-Motion For Summary Judgment (Ad. Pro. Case No. 09-01510 Docket No. 163)*

*DPH Holdings Corp.'s Memorandum Of Law In Support Of ACE/Pacific's Motion For Summary Judgment And In Opposition To The Michigan Defendants' Cross Motion For Summary Judgment (Ad. Pro. Case No. 09-01510 Docket No. 165)*

*Related Filings:*

*Motion for Summary Judgment Notice filed on behalf of ACE American Insurance Company, Pacific Employers Insurance Company (Ad. Pro. Case No. 09-01510 Docket No. 37)*

*Motion for Summary Judgment Statement of Undisputed Facts filed on behalf of ACE American Insurance Company, Pacific Employers Insurance Company (Ad. Pro. Case No. 09-01510 Docket No. 39)*

*Motion for Summary Judgment Memorandum of Law filed on behalf of ACE American Insurance Company, Pacific Employers Insurance Company (Ad. Pro. Case No. 09-1510 Docket No. 40)*

*Motion for Summary Judgment Statement of Undisputed Facts filed on behalf of ACE American Insurance Company Pacific Employers Insurance Company (Ad. Pro. Case No. 09-1510 Docket No. 41)*

*Status:*

*The hearing with respect to this matter will be proceeding.*

3. **"Michigan Defendants' Cross Motion for Summary Judgment"** - Notice of Defendants Michigan Workers' Compensation Agency and Michigan Funds Administration's Motion For Summary Judgment (Ad. Pro. Case No. 09-01510 Docket No. 147)

*Responses filed:* *Plaintiffs Ace American Insurance Company And Pacific Employers Insurance Company's Response To The Michigan Defendants' Statement Of Undisputed Material Facts Pursuant To Local Rule 7056-1(Ad. Pro. Case No. 09-01510 Docket No. 161)*

*Plaintiffs' (I) Reply In Further Support Of Motion For Summary Judgment And (II) Opposition To The Michigan Defendants' Cross-Motion For Summary Judgment (Ad. Pro. Case No. 09-01510 Docket No. 163)*

*DPH Holdings Corp.'s Memorandum Of Law In Support Of ACE/Pacific's Motion For Summary Judgment And In Opposition To The Michigan Defendants' Cross Motion For Summary Judgment (Ad. Pro. Case No. 09-01510 Docket No. 165)*

*Replies filed:* *Memorandum of Law of Michigan Workers' Compensation Agency and Michigan Funds Administration in Support of Their Motion For Summary Judgment and in Opposition to Plaintiffs' Motion for Summary Judgment (Ad. Pro. Case No. 09-01510 Docket No. 151)*

*Reply Memorandum of Law of Michigan Workers' Compensation Agency and Michigan Funds Administration in Further Support of Their Motion for Summary Judgment (Ad. Pro. Case No. 09-01510 Docket No. 170)*

*Related filings:* *Statement of Undisputed Facts /Defendants State of Michigan Workers' Compensation Agency and State Michigan Funds Administration's Statement Pursuant to Local Rule 7056-1 of Undisputed Facts in Support of Their Motion for Summary Judgment (Ad. Pro. Case No. 09-01510 Docket No. 148)*

*Affidavit of Kevin A. Elsenheimer on behalf of State of Michigan Funds Administration, State of Michigan Workers' Compensation Insurance Agency (Ad. Pro. Case No. 09-01510 Docket No. 149)*

*Declaration of Richard G. Haddad, Esq. In Support of Defendants State of Michigan Workers' Compensation Agency's and State of Michigan Funds Administration's*

*Motion For Summary Judgment and in Opposition to  
Plaintiffs' Motion for Summary Judgment (Ad. Pro. Case No.  
09-01510 Docket No. 150)*

*Reply Declaration Of Richard G. Haddad (Ad. Pro. Case No.  
09-01510 Docket No. 168)*

*Reply Affidavit of Kevin A. Elsenheimer (Ad. Pro. Case No.  
09-01510 Docket No. 169)*

*Status:* *The hearing with respect to this matter will be proceeding.*

Dated: New York, New York  
October 15, 2012

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